

Solicitor/Peddler and Ice Cream Truck License Application

General Information: Municipal Code 4.08

No individual, including an employee or agent of a group of individuals, partnership, or corporation, whether a resident of the City or not may engage in the operation of any business, operation, event or activity described, whether implicit or implied, within this ordinance without first obtaining a license as provided in this chapter. (Ord. 2977 §1, 1961) An applicant is responsible for submitting an application and obtaining the appropriate license for the type of business being conducted in the City and Urban Growth Boundary. In addition to the specific license activity, an applicant is responsible for applying for and paying the appropriate annual fees for a City occupation (business) tax in accordance with Section 4.04 of the Municipal Code. No solicitor/peddler, mobile vending vehicle, or temporary merchant has an exclusive right to a particular location on permitted public right-of-ways, sidewalks, or designated public property, or shall operate in a congested area where the operations impede or inconvenience the public. For the purpose of this chapter, the judgment of the Department of Public Safety Department is conclusive as to whether the area is congested, the public impeded or inconvenienced.

This application is to be used for individuals intending to operate a business that meets one of the following definitions:

“Ice Cream Truck” – Which is defined as a motor vehicle utilized as the point of retail sales of pre-wrapped or prepackaged ice cream, frozen yogurt, frozen custard, or similar frozen dessert products.

“Solicitor/Peddler” – Which is defined as an individual, including an employee or agent of a group of individuals, partnership, or corporation, whether a resident of the City or not, who is taking or attempting to take, whether in person or by telephone, orders for sale of food, beverages, goods, merchandise or services to be furnished or performed in the future, whether he is collecting advance payments on such sales or not.

Operations Standards:

All uses licensed under this chapter shall comply with all relevant standards contained in this section.

1. Hours of operation. Ice cream trucks may stop for the purpose of making sales only between the hours of 11:00 a.m. and 9:00 p.m. Monday –Sunday. A Solicitor/Peddler may solicit between the hours of 9:00 a.m. and 8:00 p.m. Vendors and temporary merchants except ice cream trucks and solicitors shall be allowed to engage in their licensed business between 7:00 a.m. and 11:00 p.m., Monday - Sunday.
2. Removal of mobile vending vehicle during non-operating hours. All mobile vending vehicles must be removed from public or private property during non-vending hours. If a Special Event Permit is sought in accordance with Title 4 of the Municipal Code, the City may make an exception to the usual hours of operation and the requirement to remove vending vehicles each night.

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3. Public health codes. Vendors, solicitors, and temporary merchants shall comply with all applicable Josephine County Department of Public Health requirements.
4. Building and fire codes. Vendors, solicitors, and temporary merchants shall comply with all applicable City Building and Fire Code.
5. General location. Unless positioned on private property, a mobile vending vehicle shall not be located:
 - a. Where the public sidewalk is less than five feet wide;
 - b. In an alley not designated as an off street mobile vending zone
 - c. Within a midblock crosswalk area;
 - d. On the portion of a public sidewalk crossed by a public or private driveway or within ten feet of either side of the driveway;
 - e. Within any street corner area.
 - f. Within five (5) feet from a perpendicular line drawn to the curb from either side of a doorway;
 - g. In a manner in which the movement or visibility of vehicles using the street or other public right-of-ways, including alley ways, is obstructed in accordance with all state and municipal vehicle codes.
6. ADA. The proposed vending activity shall not violate the Americans with Disabilities Act.
7. Waste receptacle. Vendors, solicitors, and temporary merchants shall keep the area of operation free of debris. Vendors selling food or beverages must provide trash receptacles and removal of associated waste adjacent to or as a part of their operations. All spilled food, beverages, grease, or other trash or debris accumulating within twenty (20) feet of any mobile vending vehicle shall be cleaned and collected by the vendor and deposited in the vendor's trash receptacle. The vendor is prohibited from depositing its waste, ice, and any grey or waste water into sidewalk waste receptacles, privately owned dumpster, City planters, gutters or the street drainage system.
8. Maintenance of vehicle. Mobile vending vehicles shall be maintained in such a manner that prevents the spilling or splattering of grease, water, food, or trash on any public right-of-way where the vehicle is located. The vehicle owner shall be responsible for the cleaning and repair of any public right-of-way affected by their use.
9. Alcoholic beverages. Vendors and temporary merchants shall not offer alcoholic beverages for purchase except as licensed by a special event permit or community event license.
10. Display of license. The permittee shall obtain and maintain in effect all required permits and business licenses and display the permit or license at the vending site in a manner approved by the Finance Department.
11. Amplified music. Vendors and temporary merchants shall not use amplified music in conjunction with their use.

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12. Cooking mechanism. Mobile vending vehicles must have the BBQ grill, stove or other cooking mechanism enclosed and permanently built into the structure of the mobile vending vehicle.
13. Pedestrian zone.; A mobile food truck and associated customer queues and approved accessory units shall not impair pedestrian passage and shall be sited to provide at least four feet of clear pedestrian path through sidewalks.
14. Mobile vending operations shall be prohibited from employing flashing, blinking or strobe lights or any other light emitting devices that are designed to draw attention to the use from the public right-of-ways, including sidewalks.
15. Mobile vending vehicle support equipment must not extend more than four (4) feet from the edge of the mobile vehicle and shall only be located on the sidewalk side for mobile food trucks.
16. Signs advertising the mobile vending vehicle, Christmas tree lots, and fireworks stands are subject to current sign standards.

Ice Cream Trucks.

1. The Finance Department may issue an Ice Cream Truck permit authorizing the use of city streets for the peddling of frozen dessert treats.
2. In addition to the applicable General Standards of Operation contained in section 4.08.070 of this title, Ice Cream Trucks shall be subject to the following standards:
 - a. Length of Stop. No ice cream truck shall stop for the purpose of making sales for more than 15 minutes in a single location.
 - b. Manner of Stops. Ice cream trucks shall pull as far as practicable to the right side of traffic when stopping for the purpose of making sales and shall operate four-way flashers when so stopped. In no event shall an ice cream truck stopped for the purpose of making sales prevent the passage of other motor vehicles on the rights of way.
 - c. Rubbish Receptacle Required. Each ice cream truck shall provide a rubbish receptacle for use of its customers. Prior to leaving each stop, the operator of the ice cream truck shall remove any litter left at the stop by customers.
 - d. Hours of Operation. Ice cream trucks may stop for the purpose of making sales only between the hours of 11:00 a.m. and 9:00 p.m. Monday – Sunday.
3. Limits on Products Sold. Only pre-wrapped or pre-packaged food items may be sold from an ice cream truck. Non-frozen items such as pre-packaged soft drinks, candy, chewing gum and snack food may be sold from an ice cream truck provided the principal product sold is ice cream and/or similar frozen dessert products.

Soliciting/Peddling.

1. Solicitor/peddler shall not:
 - a. Solicit before 9 a.m. or after 8 p.m.;

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- b. Solicit without first having obtained the appropriate City licenses, permits and having paid City business tax fees;
 - c. Solicit after a City solicitation license or permit has been revoked or has expired;
 - d. Allow, suffer, or permit any person soliciting commit any act prohibited by this chapter;
 - e. Provide false or fraudulent information on an application; or
 - f. Leave written materials or solicit upon real property where a sign conforming to the requirements of Section 4.08.120(E) is posted.
2. A solicitor/peddler shall display the license issued by the City on their person within plain view while engaging in activities pursuant to their license.
 3. Peddling/solicitation in violation of signs:
 - a. Any owner or occupant of a private residence may post a plainly visible sign at its principal entrance prohibiting solicitation.
 - b. Any person who solicits at a private residence where a sign is posted in accordance with this Subsection is guilty of a violation of this title.

Application Process:

The permit application process begins when you submit this completed application to the City of Grants Pass. Keep in mind that acceptance of your application should in no way be construed as final approval or confirmation of your request. The application will be reviewed in accordance with Chapters 4.08 of the Grants Pass Municipal Code. The applicant is responsible for compliance with all applicable federal, state and local laws and regulations. Copies of the application and required supporting documents are forwarded and reviewed by all affected City departments and/or public agencies.

Required items:

Applicant must provide:

1. A complete application
2. Proof of compliance with all relevant federal, state and local bonding and licensing requirements (Solicitor/Peddler);
3. A copy of the applicant's certificate of liability insurance naming the City as an additional insured (Ice Cream Truck). The amount required shall be in accordance with the most recently adopted number as per Ordinance 5517 and Resolution 5682.
4. A copy of Food Handlers Card (State of Oregon regulations require every commercial food worker who is involved in public food handling and preparation, to acquire a certified food handlers card.)
5. A copy of a valid Oregon motor vehicle operator's license
6. Submit application for business tax

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Solicitor/Peddler and Ice Cream Truck License Application

Business Name: _____

Applicant's True Name: _____
First Middle Last

Applicant's Physical Address: _____
Street Address

City State Zip code

Applicant's Mailing Address:
(if different from physical) _____
Mailing Address

City State Zip Code

Telephone _____
Home Cell

Business Alternate

E-mail

If the applicant is an employee or acting as an agent for another individual or business please provide:

Name of Registered Agent or Corporation: _____

Agent or Corporation Address: _____
Street Address

City State Zip code

Agent or Corporation Telephone _____
Business Alternate

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Information in regards to vehicle to be used for business purpose:

Make	Model	Color	License No.	State
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Description of the nature of the business operation the applicant will conduct:

Description of goods, wares, merchandise, or services the applicant will offer for sale:

Length of time the right to do business in Grants Pass is desired: _____

Does the applicant or affiliated organization have any past criminal convictions involving unlawful trade practices, fraud, or crimes involving vileness or depravity with respect to a person's duty to another or to society in general? _____

If yes, please describe (date, offense, city, state, disposition) _____

Have any known consumer complaints been made to local or State consumer agencies about the applicant or affiliated organization? _____ If yes, please describe: _____

Applicant Signature

Date

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Solicitor/Peddler and Ice Cream Truck

Business/Individuals Name: _____

Staff to collect the following:

- _____ A complete application
- _____ Proof of compliance with all relevant federal, state and local bonding and licensing requirements (Solicitor/Peddler);
- _____ A copy of valid Food Handlers Card (Ice Cream Truck)
- _____ A copy of a valid Oregon motor vehicle operator's license
- _____ Business and Occupation Tax Certificate application
- _____ A copy of Certificate of Liability insurance (Ice Cream Truck)
- _____ Take Picture _____ (Picture Number)
- _____ Fees Collected:
 - _____ Background Check (\$10.00)
 - _____ License and Application Fee (\$20.00)
 - _____ Business Tax Fee (see scale)

Route Completed form to Public Safety:

Public Safety

Background (circle one)

Approved

Denied

If denied, attach written documentation regarding denial to the application and return packet to Customer Service

Signature

Date

Route to Customer Service:

Date routed to: _____ Date Returned _____

Card Created _____ Applicant Contacted _____

Signature of individual issuing license

Date